

UNITED STATES OF AMERICA DK# 1:04 CR 10049 WGY

V

Juan Conce

DEFENDANT'S AFFIDAVIT IN SUPPORT OF
MOTION TO WITHDRAW AND APPOINT COUNSEL
FOR JUAN CONCE.

1. defendant's been IN CUSTODY SINCE Feb. 24 2004.
2. defendant's SENTENCING WAS CONDUCTED ON OCT 28 2004.
3. defendant's COMES BACK ON APPEAL UNDER BOOKER, AND RECEIVES THE SAME SENTENCE HE RECEIVED ON OCT 28 2004. "262" Mo.
4. defendant CLAIMS TRIAL COUNSEL WAS INEFFECTIVE. ON 2/23/06 THE ^{Judge} COURT MADE A STATEMENT AS TO ALLOW ANOTHER JUDGE TO VIEW AND EXAMINE THE CASE. TRIAL COUNSEL REJECTED THE COURT'S SUGGESTION, INSTEAD PROCEEDED WITH THE SENTENCING WITHOUT CONFERRING WITH HIS CLIENT. THE DEFENDANT BELIEVES THAT ANOTHER ^{Judge} COURT WOULD HAVE IMPOSE A DIFFERENT SENTENCE OTHER THAN THE ADVISORY GUIDELINE RANGE TO WHICH THE COURT RE-SENTENCED THE DEFENDANT. "262" Mo.
5. defendant believes NEW COUNSEL WOULD AND WILL TAKE A DIFFERENT COURSE OF ACTION. FEB. 23. 2006
6. defendant REQUESTS THAT he be ^{defendant "Pro se"} Juan Conce
ABLE TO STAY IN THIS REGION P.O. Box 807
WHILE AWAITING AN ANSWER MIDDLETON, MA 01944
FROM THE COURT Juan Conce